

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Lovith Donnell Anderson, #72705,) C/A No. 4:17-2420-TMC-TER	
)	
Plaintiff,)	
)	ORDER
vs.)	
)	
Georgetown County Detention Center,)	
)	
Chief Michael Schwartz,)	
)	
Defendants.)	

This is a § 1983 action filed by a pre-trial detainee. This case is before the Court because of Plaintiff's failure to comply with the magistrate judge's orders. (ECF Nos. 6, 11). A review of the record indicates that the magistrate judge twice ordered Plaintiff to answer the court's interrogatories. (ECF No. 6, 11). On prior occasions, the court ordered Plaintiff to keep his address updated with the clerk of court. (ECF Nos. 6, 11). The first order is presumed to have been received as it did not return. Plaintiff did not keep his address updated with the clerk of court and mail returned as undeliverable on November 18, 2017. (ECF No. 13).

Plaintiff's lack of response and failure to keep his address updated with the clerk of court in order to receive court orders indicates an intent to not prosecute this case, and subjects this case to dismissal. *See* Fed. R. Civ. P. 41(b) (district courts may dismiss an action if a Plaintiff fails to comply with an order of the court); *see also Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989) (dismissal with prejudice appropriate where warning given); *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919, 920 (4th Cir. 1982) (court may dismiss *sua sponte*).

Accordingly, this case is dismissed without prejudice. The Clerk of Court shall close the file.

IT IS SO ORDERED.

s/Timothy M. Cain

November 27, 2017
Anderson, South Carolina

United States District Judge